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FROHNMAYER, DEATHERAGE, JAMIESON,

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Of Attorneys for Defendant

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

MEDFORD DIVISION

ANDRE BILODEAU, ROBERT BESSY,
AMBER MCNAB, AND
GREG KILLINGSWORTH, individuals,
on behalf of themselves and all others
similarly situated; and DOES 1
through 100,

Plaintiffs,

v.

CITY OF MEDFORD,

Defendant.

Case No.: 1:21-cv-00766-CL

**DEFENDANT'S UNOPPOSED
MOTION TO SETOVER JULY 14, 2022
HEARING ON PLAINTIFFS' MOTION
FOR LEAVE TO AMEND**

CONFERRAL

Pursuant to LR 7-1, counsel for Defendant conferred with Plaintiffs' counsel on June 28, 2022 and he stated he has no objection to moving the hearing to July 18, 2022 or August 4, 2022; however, he prefers July 18th. (Decl. Murdock (Ex. 1)).

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MOTION

Defendant, City of Medford, hereby moves the court to setover the July 14, 2022 hearing on Plaintiffs' motion for leave to amend their complaint until July 18, 2022, August 4, 2022, or another time available on the court docket and for the parties. This motion is made in good faith and not solely for the purpose of delay. (Ex. 1). Defense counsel will be out of the country on July 14, 2022 for his anniversary. (Ex. 1). The proposed re-scheduling would still allow the matter to be heard before the September 13, 2022 hearing on Plaintiffs' motion to certify a class. This motion is unopposed. (Ex. 1).

CONCLUSION

For the foregoing reasons, Defendant respectfully requests that the court re-set the hearing on Plaintiffs' motion for leave to amend their complaint.

Dated this 5th day of July, 2022.

FROHNMAYER, DEATHERAGE, JAMIESON,
MOORE, ARMOSINO & McGOVERN, PC,

s/ Casey S. Murdock

Thomas F. Armosino, OSB #911954

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Casey S. Murdock, OSB #144914

Murdock@fdfirm.com

Of Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing **DEFENDANT'S UNOPPOSED MOTION TO SETOVER**

JULY 14, 2022 HEARING ON PLAINTIFFS' MOTION FOR LEAVE TO AMEND upon:

Justin N. Rosas
justin@justinrosas.com
Justina Lara
justina@justinrosas.com
THE LAW OFFICE OF JUSTIN ROSASJU
110 W. 11th Street
Medford, OR 97501
Attorneys for Plaintiff s

- ☒ by automatic electronic transmission via the Court's Case Management and Electronic Case Filing practice.
- ☐ by mailing to said attorneys a copy thereof, certified by me as such, contained in a sealed envelope, with postage paid, addressed to said attorneys at said attorneys' last known address and deposited in the post office at Medford, Oregon, on the date set forth below.

DATED this 5th day of July, 2022.

FROHNMAYER, DEATHERAGE, JAMIESON,
MOORE, ARMOSINO & McGOVERN, P.C.

s/ Casey S. Murdock
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ANDRE BILODEAU, ROBERT BESSY,)
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KILLINGSWORTH, individuals, on)
behalf of themselves and all others)
similarly situated; and DOES 1 through)
100,)

Plaintiffs,)

v.)

CITY OF MEDFORD, MEDFORD, an)
incorporated Oregon city,)

Defendant.)

Case No. 1:21-CV-00766-CL

DECLARATION OF CASEY MURDOCK

I, Casey Murdock, do hereby declare and say:

1. I am one of the attorneys for the City of Medford.

2. This Declaration is made in support of Defendant's Unopposed Motion to Setover

July 14, 2022 Hearing on Plaintiffs' Motion for Leave to Amend and is based on personal knowledge.



3. Plaintiffs' counsel and I conferred on June 28, 2022 regarding resetting the hearing date for Plaintiffs' Motion for Leave to Amend. He advised that he has no objection to moving the hearing to July 18, 2022 or August 4, 2022; however, he prefers July 18th. This motion is therefore unopposed.

4. This motion is made in good faith and not solely for the purpose of delay.

5. I will be out of the country on July 14, 2022 for my 10-year wedding anniversary.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED this 5th day of July, 2022.

/s/ Casey S. Murdock

Casey S. Murdock, OSB No. 144914

Murdock@fdfirm.com

Of Attorneys for Defendant